

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop PCT/Missing Requirements, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313 on April 19, 2007.

David Saliwanchik
David R. Saliwanchik, Patent Attorney

Patent Application
Docket No. SPO-128
Conf. No. 5794

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Toshio Hirano, Susumu Yamashita
Serial No. : 10/584,742
Conf. No. : 5794
Filed : June 26, 2006
For : EMT-Inducing Agents

Mail Stop PCT/MISSING REQUIREMENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

The Applicants have received a Notification of Missing Requirements Under 35 U.S.C. 371 from the United States Designated/Elected Office (DO/EO/US), dated February 20, 2007 for the above-referenced patent application. The Notification requests that the applicants submit an executed Declaration and Power of Attorney form. Attached herewith is a fully executed Declaration and Power of Attorney form.

The Notice further requests that the applicants comply with Sequence Disclosure Requirements under 37 CFR §1.821.

Accordingly, attached is a Submission of Sequence Listing on paper and in Computer Readable Format Under 37 CFR §1.821 (disk).

Docket No. SPO-128
Serial No. 10/584,742

Further attached are an Amendment under 37 CFR 1.825(a) through (c) and a Submission of Sequence Listing under 37 CFR §1.821 that includes a statement certifying that the paper copy and computer readable format copy are identical.

Please charge the surcharge of \$130 for the late-filed Declaration (37 CFR 1.63) to Deposit Acct. No. 19-0065. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 19-0065. Two copies of this letter are enclosed.

Respectfully submitted,



David R. Saliwanchik
Patent Attorney
Registration No. 31,794
Phone No.: 352-375-8100
Address : P.O. Box 142950
Gainesville, FL 32614-2950

DRS/la

Attachments: Executed Declaration (37 CFR 1.63) and Power of Attorney form;
Submission of Sequence Listing under 37 CFR §1.821;
Sequence Listing on paper and in computer readable format (disk);
Amendment under 37 CFR 1.825(a) through (c); and
Copy of Notification of Missing Requirements.

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

April 19, 2007

David Saliwanchik

David R. Saliwanchik, Patent Attorney

SEQUENCE LISTING SUBMISSION
UNDER 37 CFR §1.821
Confirmation No. 5794
Patent Application
Docket No. BB-128

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Toshio Hirano, Susumu Yamashita
Serial No. : 10/584,742
Conf. No. : 5794
Filed : June 26, 2006
For : EMT-Inducing Agents

Mail Stop PCT/SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR §1.821 SUBMISSION OF SEQUENCE LISTING

Sir:

In order to be in compliance with 37 CFR §§1.821 through 1.825, transmitted herewith is a sequence listing in computer readable form (disk) and on paper. A copy of a Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino acid Sequence Disclosures dated February 20, 2007, accompanies this submission of Sequence Listing.

I hereby certify that the attached sequence listing in computer readable form is identical to the attached paper copy of the sequence listing and that no new material is introduced by this submission.

Respectfully submitted,



David R. Saliwanchik
Patent Attorney
Registration No. 31,794
Phone No.: 352-375-8100
Fax No.: 352-372-5800
Address : P.O. Box 142950
Gainesville, FL 32614-2950

DRS/la

Attachments: Sequence Listing on Paper
Sequence Listing in Computer Readable Form (disk)
Copy of Notification of Sequence Requirements

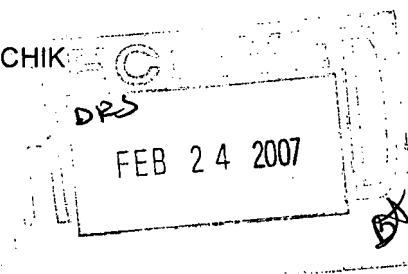


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/584,742	Toshio Hirano	SPO-128

23557
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I.A. FILING DATE	PRIORITY DATE
12/22/2004	12/26/2003

CONFIRMATION NO. 5794
 371 FORMALITIES LETTER



OC000000022555240

Date Mailed: 02/20/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/26/2006
- English Translation of the IA filed on 06/26/2006
- Copy of the International Search Report filed on 06/26/2006
- Copy of IPE Report filed on 06/26/2006
- Preliminary Amendments filed on 06/26/2006
- Information Disclosure Statements filed on 11/13/2006
- Oath or Declaration filed on 06/26/2006
- Request for Immediate Examination filed on 06/26/2006
- U.S. Basic National Fees filed on 06/26/2006
- Priority Documents filed on 06/26/2006
- Specification filed on 06/26/2006
- Claims filed on 06/26/2006
- Abstracts filed on 06/26/2006
- Drawings filed on 06/26/2006
- Paper nucleotide sequence listings filed on 06/26/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/584,742	PCT/JP04/19246	SPO-128

FORM PCT/DO/EO/905 (371 Formalities Notice)